

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**

STANDING ORDER

In light of inquiries by members of the public and the press relating to access to the courthouses of this District during judicial proceedings while in possession of electronic equipment, and because current Rule 83.4 of the **UNIFORM LOCAL RULES OF THE UNITED STATES DISTRICT COURTS FOR THE NORTHERN AND SOUTHERN DISTRICTS OF MISSISSIPPI**, governing photographs and broadcasting, does not address such concerns, the undersigned hereby institutes this Standing Order to govern proceedings in this court until December 1, 2009, the effective date of the amendment to Local Rule 83.4 which has been adopted by the Judges of this District and the United States District Court of the Southern District of Mississippi.

The Guide to Judiciary Policies and Procedures policy adopted by the Judicial Conference of the United States Courts prohibits broadcasting, televising, recording or photographing of any criminal or civil proceeding [other than ceremonial proceedings such as investiture or naturalization] for the purpose of public dissemination. The only exceptions allowed by the policy are for

- A. presentation of the evidence;
- B. perpetuation of the record of the proceedings;
- C. security purposes;
- D. photographing, recording or broadcasting of appellate arguments; and
- E. other purposes of judicial administration.

Current Rule 83.4 prohibits photographing or broadcasting from the environs of the courtroom, defined as "all portions of the building in which a courtroom is located, including hallways, stairs, and elevators." The amended Rule 83.4 will provide that "Electronic devices capable of transmitting images or messages are prohibited in the courtroom except when such equipment is being utilized by parties, attorneys and support personnel directly involved in the litigation before the Court." The new Rule will, however, permit the Presiding Judge to relax or modify the provisions of the Rule in a given proceeding unless doing so would otherwise be prohibited by statute, rule or Judicial Conference policy.

As Chief Judge of the Northern District, the undersigned hereby **ORDERS** that, until the amendments to the Local Rules become effective, it shall be the policy of this Court that the Presiding Judge in any judicial proceeding shall have discretion to relax or modify current prohibitions against electronic devices so long as such modification does not violate any other statute, rule or Judicial Conference Policy. Should any Presiding Judge desire to make available,

for use by the public or the press, space located within the courthouse where the action is being heard, where such persons may use electronic word processing devices, and if such space is actually available, the Presiding Judge in that action may do so. Such decision shall be within the sole discretion of the Presiding Judge.

SO ORDERED, this, the 23rd day of July, 2009.



CHIEF UNITED STATES DISTRICT JUDGE